

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                               |                                   |
|-------------------------------|-----------------------------------|
| Applicants: Andreas Neuner    | ) Dkt. No.: SZY6271P0010US        |
|                               | )                                 |
| Serial No.: 09/856,407        | ) Group Art No.: Not Yet Assigned |
|                               | )                                 |
| Filed: May 17, 2001           | ) Examiner: K. Williams           |
|                               | )                                 |
| Title: PLANT ARRANGEMENT WITH | )                                 |
| HOLDER FOR OBJECTS THEREIN    | )                                 |

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

BOX PCT  
 Commissioner for Patents  
 Washington, DC 20231

Dear Sirs:

This document is in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in The United States Designated/Elected Office, mailed on July 2, 2001.

Appended hereto, please find as follows:

- (a) a translation of the international application as originally filed;
- (b) a translation of the text in the drawings;
- (c) a document that sets forth the changes that have been made in the specification and claims in the application presently on file as compared to the translation of the international application as originally filed; and
- (d) a check in the amount of \$130.00 for the processing fee pursuant to 37 CFR 1.492(f).

The examiner is requested to treat the specification as originally filed on May 17, 2001 as a substitute specification and to examine the claims as originally filed on May 17, 2001. The

08/31/2001 UEDUVIJE 00000064 09856407

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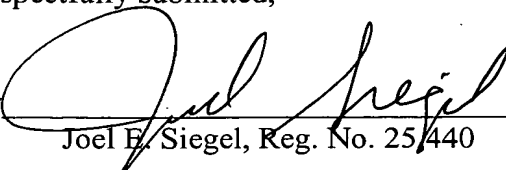
130.00 OP

changes to the specification and claims have been made to comply with U.S. practice and not to change the scope of the described and claimed invention.

Please charge any additional fees that may be necessitated by this filing to Account No. 04-1644.

Respectfully submitted,

By

  
Joel E. Siegel, Reg. No. 25,440

Attorney for Applicant  
Rockey, Milnamow & Katz, Ltd.  
Two Prudential Plaza, Ste. 4700  
180 North Stetson Avenue  
Chicago, Illinois 60601  
Phone: 312-616-5400  
Fax: 312-616-5460

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Applicant: Andreas Neuner

Serial No.: 09/856,407

Filing Date: May 17, 2001

For: Plant Arrangement with A Holder for Objects

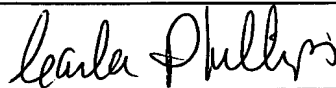
I hereby certify that this Response to Notification of Missing Requirements and any other documents referred to as enclosed herein, is being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and addressed to: Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: EL812418961US

Date of Deposit: August 28, 2001

Typed/Printed Name  
of Person Signing: Carla Phillips

Signature:





## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

|                      |                       |                  |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/856407            | NEUNER                | A SZY6126P0020   |

ROCKEY MILNAMOW & KATZ  
TWO PRUDENTIAL PLAZA SUITE 4700  
180 N STETSON AVENUE  
CHICAGO, IL 60601RECEIVED  
JUL - 6 2001

INTERNATIONAL APPLICATION NO.

PCT/EP99/08653

|                |               |
|----------------|---------------|
| A. FILING DATE | PRIORITY DATE |
| 11 NOV 99      | 19 NOV 98     |

DATE MAILED: 02 JUL 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input checked="" type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |

MISSING REQUIREMENTS  
DUE 9/2/01  
1/2/02

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed: ☐ PCT/DO/EO/917 ☒ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Karen Williams *KW*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FOI

/DO/EO/

09/000407

### NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- ☒ (1) The text in the drawings has not been properly translated;
- ☐ (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- ☐ (3) The translation of the International Application is incomplete as a number of pages are missing;
- ☒ (4) Other.

MUST FILE A TRANSLATION OF THE INTERNATIONAL APPLICATION AS ORIGINALLY FILED.

Karen Williams *Kw*

Telephone: 703-305-3688

**Translation of the text in the drawings:**

- |    |  |  |
|----|--|--|
| 1) | Bester Kaffee<br>250 g                 | Best coffee<br>250 g   |
| 2) | KNOBLERONE                             | fantasy name of a chocolate bar                                  |
| 3) | Zarte Bitter<br>Tafelschokolade        | soft bitter chocolate  |
| 4) | KLINKER ZWERG<br>trocken<br>Sekt 0,2 l | fantasy name of a sparkling wine<br>dry, 0,2 l<br>sparkling wine |
| 5) | Latte Blaue Herzen                     | fantasy name of a chocolate box<br>blue hearts                   |
| 6) | kleiner Honigtraum                     | fantasy name of honey sweets,<br>Little Honey Dream              |
| 7) | Glückspfennig                          | Lucky Penny  |